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## FAX COVER SHEET

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DATE: December 14, 2001

TOTAL # OF PAGES (INCLUDING THIS COVER SHEET): 11

TO: Examiner S. Castellano  
FIRM NAME: USPTO/Group 3727

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FROM: Gary M. Polumbus  
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EMAIL: polumbus.gary@dorseylaw.com

COMMENTS:  
RE: 09/764718  
AMENDMENT

FAX RECEIVED

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GROUP 3700

Originator's Signature

Original will be sent via:

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PLEASE CONTACT DONNA CARRERA AT (303) 628-1508 IF THIS TRANSMISSION IS INCOMPLETE OR CANNOT BE READ.

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December 13, 2001

### VIA FACSIMILE


Examiner Stephen Castellano  
USPTO/Group 3727  
Commissioner for Patents  
Washington, D.C. 20231

Re: **RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**  
Application No. 09/764718  
Title: Container with Improved Stacking/Denesting Capability  
Our ref: 5887.00

Dear Examiner Castellano:

This letter is in response to the Notice of Non-Compliant Amendment dated December 6, 2001. The notice stated that a marked up copy of the claims was not provided. The Amendment had been faxed on November 21, 2001. Apparently, the last two pages, which contained the marked up version, did not make it to the Examiner. Accordingly, attached hereto is a resubmission of the Amendment by fax. The Amendment consist of a total of 8 pages. If all of these pages are not received, it would be appreciated if the examiner would call the attorney below.

Sincerely,

  
Gary M. Polumbus

GMP/dtc  
Enclosures